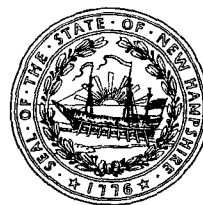




State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY
WET #SC2005-0001**

March 2, 2005

Frank Ganter
479 Meridian Street
East Boston, MA 02128

RE: Wetlands Bureau Complaint File #2003-2544, Ganter, Barge on Piscataqua River, Newington.

Dear Mr. Ganter:

On March 2, 2005, personnel from the Department of Environmental Services ("DES") conducted an inspection along the Piscataqua River in the vicinity of Little Bay Lobster Company. The purpose of the inspection was to determine compliance with RSA 482-A, the New Hampshire Wetlands Law.

It has been determined that a barge is beached on the Piscataqua River within DES jurisdiction adjacent to the Little Bay Lobster Company. It appears that the barge is abandoned and deteriorating. Photos of the barge are enclosed. DES determined that you are the owner and responsible party for the barge.

At this time, DES requests that you take the following action:

1. By **May 1, 2005**, submit to DES a removal sequence, methods of removal, and timetable for accomplishing removal of the barge by **June 1, 2005**.
2. Submit photo documentation that the barge has been removed by **July 1, 2005**.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to work in and adjacent to wetlands or surface waters, an individual is required to obtain a permit from the Wetlands Bureau. If work is done without a permit from the Wetlands Bureau, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

David Price, Compliance Investigator
Wetlands Bureau
Department of Environmental Services
50 International Drive
Suite 200
Portsmouth, NH 03801

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact David Price at (603) 559-1514 or by e-mail at dprice@des.state.nh.us.

Sincerely,

COPY


Frank D. Richardson, Ph.D.
Senior Wetlands Inspector
Coastal Region Supervisor
DES Wetlands Bureau

FDR/dap

CERTIFIED MAIL #7003 1010 0003 3557 2357

cc: Rene Pelletier, Manager, Land Resources Management Program
DES Legal Unit
Newington Conservation Commission
Tracy Shattuck, Chief Harbor Master, Pease Development Authority
Nick Jenkins, Shafmaster Fleet Services